

Thurgood Marshall U.S. Courthouse 40 Foley Square, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Docket Number(s): 15-1672

Caption [use short title]

Motion for: Leave to File Brief Under Seal pursuant to

Local Rule 25.1(j)

United States et al.,
Plaintiffs-Appellees

v.

American Express Co. et al.,
Defendants-Appellants

Set forth below precise, complete statement of relief sought:

Order permitting Defendants-Appellants American Express Company

and American Express Travel Related Services Company, Inc.

to file under seal its opening brief, which discusses confidential information

appearing in trial exhibits that were admitted into the record

under seal or with redactions pursuant to the District Court's

order.

MOVING PARTY: American Express Co.

☐ Plaintiff

☒ Defendant

☒ Appellant/Petitioner

☐ Appellee/Respondent

OPPOSING PARTY: United States

MOVING ATTORNEY: Evan R. Chesler

[name of attorney, with firm, address, phone number and e-mail]

OPPOSING ATTORNEY: Nickolai G. Levin

Cravath, Swaine & Moore LLP

825 Eighth Avenue, Worldwide Plaza, New York, NY 10019

(212) 474-1000, echesler@cravath.com

U.S. Department of Justice, Antitrust Division, Appellate Section

950 Pennsylvania Ave. NW, Off. 3224, Washington, DC 20530

(202) 514-2886, nickolai.levin@usdoj.gov

Court-Judge/Agency appealed from: Hon. Nicholas G. Garaufis, U.S. District Court for the Eastern District of New York

Please check appropriate boxes:

Has movant notified opposing counsel (required by Local Rule 27.1):

☒ Yes ☐ No (explain):

Opposing counsel's position on motion:

☒ Unopposed ☐ Opposed ☐ Don't Know

Does opposing counsel intend to file a response:

☐ Yes ☒ No ☐ Don't Know

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND
INJUNCTIONS PENDING APPEAL:

Has request for relief been made below?

☐ Yes ☐ No

Has this relief been previously sought in this Court?

☐ Yes ☐ No

Requested return date and explanation of emergency:

Is oral argument on motion requested?

☐ Yes ☒ No (requests for oral argument will not necessarily be granted)

Has argument date of appeal been set?

☐ Yes ☒ No If yes, enter date:

Signature of Moving Attorney:

/s/ Evan R. Chesler

Date: 8/3/15

Service by: ☒ CM/ECF

☐ Other [Attach proof of service]